

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 30, 2002**

DIVISION ONE

B148496      Silberman      (Not for Publication)  
v.  
Roe

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.  
Mallano, J.

B145784 Friedman et al. (Not for Publication)  
v.  
Sidley et al.

The judgment is reversed and the case remanded with directions to enter a judgment in plaintiff's favor, to make an award of nominal damages in their favor and to reconsider the question of attorney's fees and costs. The appeal from the order denying plaintiffs' motion for a new trial and to set aside the judgment is dismissed. Plaintiffs are to recover their costs on appeal.

Spencer, P.J.

We concur: Ortega, J.  
Mallano, J.

## DIVISION ONE (Continued)

B143384 People (Not for Publication)  
v.  
Rodriguez

The judgment of conviction is affirmed. The case is remanded for resentencing.

Spencer, P.J.

We concur: Ortega, J.  
Vogel (Miriam A.), J.

B151917 People (Not for Publication)  
v.  
Jones

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.  
Vogel (Miriam A.), J.

## DIVISION TWO

B145469 People (Not for Publication)  
v.  
Lewis

The judgment is affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                   Ashmann-Gerst, J.

## DIVISION TWO (Continued)

B150135      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Maria C.

The orders under review are affirmed.

Doi Todd, J.

We concur:   Boren, P.J.  
                      Nott, J.

B144849 People (Not for Publication)  
v.  
Michael M.

The order committing appellant to the California Youth Authority for a maximum confinement period of four years is affirmed. The juvenile court is directed to amend the minutes of the August 7, 2000, dispositional hearing to reflect that the maximum period of physical confinement is four years.

Doi Todd, J.

We concur:   Boren, P.J.  
                  Ashmann-Gerst, J.

### DIVISION THREE

B148324 People v. Pena (Not for Publication)  
B150296 In Re Douglas Alonzo Pena on Habeas Corpus

The judgment is affirmed; the petition for writ of habeas corpus is denied.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

DIVISION THREE (Continued)

B142840      Raquel Salazar  
                 v.  
                 Diversified Paratransit et al.

Filed order vacating submission order of October 23, 2001. The appeal presents complex issues which will require additional briefing. The matter will be resubmitted upon the completion of the additional briefing.

B149379      Pedro E. Pimentel  
                 v.  
                 State of California et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B143203      Professional Collection Consultants      (Not for Publication)  
                 v.  
                 Michael Leizerovitz  
                 Pacific Bell Directory

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur:   Klein, P.J.  
                 Croskey, J.

B133517      Debbie Palmer      (Not for Publication)  
                 v.  
                 GTE California Incorporated.

The judgment is affirmed and the order granting judgment notwithstanding the verdict and a new trial is reversed. Palmer shall recover costs on appeal.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                 Aldrich, J.

DIVISION THREE (Continued)

B146584      Joseph D. Schleimer      (Not for Publication)  
v.  
David K. Winter et al.

The judgment is reversed with direction to the superior court to vacate the order denying the motions for costs of proof, exercise its discretion to determine the reasonable amount of fees and other expenses incurred by Schleimer in making the proof as to each defendant, and enter a new order granting the motions and awarding those amounts. Schleimer shall recover his costs on appeal.

Kitching, J.

We concur:    Croskey, Acting P.J.  
Aldrich, J.

B147688      Bob Van Ronkel      (Not for Publication)  
v.  
Don Kirshner et al.

We remand this case to the trial court to enter an order vacating the stay, which stay was based upon the forum selection clause in the MYC agreement. Following the trial court's entry an order vacating the stay, plaintiff shall have 30 days to seek to dismiss defendant MCY. Upon plaintiff's dismissal of MCY, the parties may take any further action they deem appropriate. Should plaintiff fail to seek to dismiss defendant MCY within 30 days of the date of the trial court enters an order vacating the stay, the trial court may, pursuant to its discretion, reimpose the stay. Costs on appeal are to be borne equally by the parties.

Kitching, J.

We concur:    Croskey, Acting P.J.  
Aldrich, J.

### DIVISION THREE (Continued)

B149620      Davis & Thomas LLP  
v.  
Joel Fries et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed April 19, 2001) dismissed.

## DIVISION FIVE

B150383      Derrick White et al.  
v.  
Wilfredo Contreras et al.

Filed order denying petition for rehearing.

## DIVISION SIX

B148731 People (Not for Publication)  
v.  
Cervantes

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SEVEN

B149642 Kajma Engineering & Construction, Inc. (Certified for Publication)  
v.  
City of Los Angeles

The judgment is affirmed. City is to recover costs on appeal.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

DIVISION SEVEN (Continued)

B151376      Los Angeles County, D.C.F.S.      (Not for Publication)

v.

David R.

In re Victor R., et al.

Dismissed as abandoned. (Sade C.)

Perluss, J.

We concur:   Johnson, Acting P.J.

Woods, J.

B147064      Sanchez

v.

Gentil

Filed order denying petition for rehearing.